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United States Senate

WASHINGTON, DC 20510 - 3505

August 20, 2020

Louis DeJoy
Postmaster General
U.S. Postal Service
475 L'Enfant Plaza West, SW
Washington, D.C. 20260

Dear Postmaster General DeJoy:

The United States Postal Service is one of our country's oldest institutions and provides an essential public service to all Americans. The Postmaster General position must be filled by someone who has a commitment to the success of the institution and its ability to deliver the mail in a timely fashion. Recent policy changes made by you at the United States Postal Service (USPS) have undermined the ability of USPS employees to do their jobs in Ohio and across the country. Simply suspending further implementation of these policy changes is not enough. These policies must be reversed and full postal services and mail processing capacity must be restored. Timely delivery of the mail is vital to Ohioans' well-being and livelihoods and to their right to vote this election year, and it is imperative that the nation's Postmaster General shares these views.

Mail Delays

USPS employees and constituents throughout my state have detailed the extent to which postal services have been undermined in recent weeks. The recently imposed prohibitions on overtime have led to undelivered mail, even in rural areas where mail carriers are paid not by the hour but by the number of mail pieces they deliver. In at least one region, USPS supervisors have ignored the prohibition on overtime to ensure timely delivery of the mail. As a result, some USPS employees are working long hours and weeks without days off because additional staff have not been approved to assist with the increased volume of parcels.

Across the state, letter carriers have told my staff that the overtime prohibitions mean letters, which typically take three days to deliver, are now taking more than a week to arrive at their destinations. This is also true for express items, even though a premium was paid for their quick delivery. Despite postal employees' valiant efforts, some Ohio households can go days without receiving any mail. Veteran Service Organizations in the state have also identified mail delays in numerous counties that have affected the ability of veterans to receive their medications on time. Small businesses, which are already struggling because of the pandemic, have called my

office to report that their outgoing packages are not being delivered to customers on time and they are receiving mail only sporadically.

In addition, mail handlers have reported to us that there are numerous decommissioned sorting machines at various locations around Ohio, including at least one working machine that has been dismantled and part of it put in a dumpster. Without exception, postal employees report that taking sorting machines offline has led to significant mail delays, sometimes as long as three or four weeks. All of these reports by postal employees can be corroborated by calls and emails from constituents around my state that their mail service has been disrupted and is affecting their lives. Ohio newspapers have also extensively covered the impact of your decisions in the state.

Your recent announcement to suspend implementation of these policies until after the election is inadequate. It is imperative that Ohio postal facilities, and those in Michigan that serve Ohioans, have the resources they need to deliver the mail in a timely fashion. That means restoring mail boxes that have been removed, bringing sorting machines back online, and approving overtime necessary to deliver the mail and hiring new employees when necessary.

Election Concerns

These mail delays are also alarming given the upcoming election. USPS General Counsel Thomas Marshall recently sent a recent letter to Ohio Secretary of State warning that USPS may not be able to timely deliver election mail, including ballots. In that letter, Mr. Marshall indicated that most domestic First-Class Mail is delivered 2-5 days after it is received by the Postal Service, even though the USPS website says first class mail is delivered within 1 to 3 days. First class mail will not be delivered within either of these timeframes if USPS does not invest in the infrastructure and staffing levels necessary to deliver ballots on time.

Ohio's April primary was marked by USPS-related delays. In advance of that primary, Secretary of State LaRose sent your predecessor a letter detailing his recommendations for the Postal Service to deliver election mail promptly. Secretary LaRose specifically requested:

- 1) An assessment of delivery standard shortcomings in the state to assess where mail delays may be occurring and then taking steps to address them.
- 2) Additional staff to local USPS offices, and extra hours including on Sunday to aid with swift delivery of election-related mail.
- 3) A thorough search of USPS facilities for unprocessed mail.
- 4) Prompt delivery of mail to the county boards of elections by key election deadlines to ensure requests for absentee ballots and delivery of those ballots is completed in a way that ensures every vote counts.

Secretary LaRose's requests were reasonable before the April primary, and the state's experience with the primary further underscores their necessity now. Unfortunately, your recently implemented policies are inconsistent with these recommendations. Simply suspending further implementation of them will not restore timely deliveries or process the piles of undelivered mail. It is critical that you not only reverse the policies but that you also invest the necessary USPS resources and workers to achieve Secretary LaRose's recommendations to protect Ohioans' right to vote by mail during the COVID-19 public health emergency.

Lack of Transparency and Conflicts of Interest

Despite the widespread public awareness of your decisions, there is still insufficient transparency surrounding their impacts in Ohio. Because of the numerous reports of significant mail delays in Ohio and their potential impact on the election, I requested to set up a phone call with you to discuss these issues and the steps necessary to address them. You refused to meet with me. My staff even offered to schedule something two months out, and still I was unable to set up a time to talk to you. It says a lot about your leadership style that you are unwilling to respond to questions about your decisions. Ohioans deserve to know your motivations and rationale for decisions that affect their ability to receive mail.

Even more troubling, employees that called my office to tell me about the impact your policy changes have had on their work did so despite significant fears that they could be fired for reporting the truth. It is unconscionable that USPS employees are worried about retaliation for telling their elected officials about mail delays.

In addition to your refusal to meet, I am concerned that it sends the wrong signal for the postmaster general to hold stocks in USPS competitors, including a private company that contracts with the USPS. This Administration issued recommendations in 2018 to privatize the Postal Service, and it is clear President Trump still intends to dismantle the institution. Even the appearance that you might have a financial interest in privatizing some or all of USPS's services should disqualify you from holding the position of postmaster general. These conflicts of interest, combined with your decisions to undermine the USPS and your unwillingness to be held accountable for those decisions with elected officials, brings me to the conclusion that you should resign.

The Postal Service is cherished because it supports businesses, communities, and households across Ohio and the country. It is critical that the position of Postmaster General is held by an individual who is committed to sustaining the USPS services that Americans rely on and is dedicated to the long-term viability of the institution. Americans know that you cannot preserve the Postal Service while gutting its services or preventing its employees from doing their jobs.

As you prepare to testify before Congress later this week, I urge you to come to the hearings prepared to provide detailed accounts of how you will reverse your damaging policies and how you will enhance USPS resources and staffing to ensure timely delivery of mail-in ballots. I hope you also indicate you that intend to step down. It is time for Congress to work with the Board of Governors to ensure restoration of mail delivery services until the Postmaster General position can be filled by someone with a respect for the Postal Service and a commitment to working with Congress to provide the institution with the funding and support it needs to deliver the mail on time.

Sincerely,



Sherrod Brown
United States Senator